

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**CHAD BABER,**

**Petitioner,**

**v.**

**WALTER DINWIDDIE,**

**Respondent.**

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**Case No. CIV-05-479-RAW**

**ORDER**

On December 4, 2007, Magistrate Judge West filed a Report and Recommendation, recommending that this action (involving petitioner's filing of a petition for a writ of habeas corpus pursuant to 28 U.S.C. §2241) be dismissed because petitioner had not pursued state remedies. No objection has been filed. The recommendation of the Magistrate Judge will be followed.

It is the Order of the Court that the Report and Recommendation of the United States Magistrate Judge is hereby adopted and affirmed as the Order of the Court. Petitioner's petition pursuant to 28 U.S.C. §2241 is hereby DISMISSED.

**ORDERED THIS 9<sup>th</sup> DAY OF JANUARY, 2008.**

**Dated this 9<sup>th</sup> Day of January 2008.**

J4h4i0



Ronald A. White  
United States District Judge  
Eastern District of Oklahoma